

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BENJAMIN TARIRI,
Plaintiff,

v.

CIVIL ACTION NO.
10-12246-NMG

CHASE HOME FINANCE, LLC
and FEDERAL DEPOSIT INSURANCE
CORPORATION,
Defendants.

REPORT AND RECOMMENDATION RE:
DEFENDANT FEDERAL DEPOSIT INSURANCE CORPORATION AS RECEIVER FOR
WASHINGTON MUTUAL BANK'S MOTION TO DISMISS FOR LACK OF SUBJECT
MATTER JURISDICTION (DOCKET ENTRY # 11); DEFENDANT CHASE HOME
FINANCE, LLC'S MOTION TO DISMISS
(DOCKET ENTRY # 17)

June 9, 2011

BOWLER, U.S.M.J.

Pending before this court is a motion to dismiss the amended complaint filed by defendant Federal Deposit Insurance Corporation as receiver for Washington Mutual Bank ("FDIC"). (Docket Entry # 11). The FDIC seeks to dismiss the amended complaint for lack of subject matter jurisdiction pursuant to Rule 12(b)(1), Fed. R. Civ. P. ("Rule 12(b)(1)"). (Docket Entry # 11). Also pending before this court is a motion to dismiss filed by defendant Chase Home Finance, LLC ("Chase"). (Docket Entry # 17). Chase seeks to dismiss counts I through V and VIII

After consideration of Pro Se Plaintiff's Response (Docket No. 27), Opposition of FDIC- Receiver (Docket No. 28) and Response of JPMorgan Chase Bank, N.A. (Docket No. 29), Report and Recommendation is accepted and approved. S/M Gordon, USDJ 8/4/11